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IN THE CIRCUIT COURT OF KANAWHA COUNTY
AT CHARLESTON
CIVIL ACTION NO. 84-C-2072

ROSALIE HAIGHT, JOHN HAIGHT; ANDREW J. GOODWIN; CHARLES FORBES and JUNE FORBES,	Deposition of:
Plaintiffs,	BETTY L. PERKINS
vs.	
THE AMERICAN TOBACCO CO., a division of American Brands, Inc.; BROWN & WILLIAMSON TOBACCO CORPORATION, LORILLARD DIVISION OF LOEWS THEATRES, INC.; PHILIP MORRIS, INCORPORATED; R. J. REYNOLDS INDUSTRIES, INC.; LIGGETT GROUP INC.; S.S.C.C. & B., INC; McCANN-ERICKSON, INC.; FOOTE, CONE & BELDING, INC.; LEO BURNETT U.S.A.; WELLS, RICH, GREENE, INC.; WILLIAM ESTY COMPANY, INC.; BATTEN, BARTON, DURSTINE & OSBORNE, INC.; THE BLOOM AGENCY; ANCHOR TOBACCO CO.; and HECK'S INC.,	
Defendants.	

TRANSCRIPT of testimony as taken by and before NANCY C. BENDISH, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, at the KB&T BUILDING, Charleston, West Virginia, on Thursday, February 6, 1986, commencing at 9:40 in the forenoon.

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I N D E X

WITNESS	DIRECT
BETTY L. PERKINS	
Mr. Rugeley	9

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B E T T Y L. P E R K I N S, sworn.

DIRECT EXAMINATION BY MR. RUGELEY:

Q. Mrs. Perkins, my name is Ed Rugeley and I'll be asking you a number of questions this morning. As I told you before, if at any time you don't understand my question, please ask me to repeat it or explain it. I'll be glad to do so. If you care to take a break at any time or need some more coffee or drink or anything, please let us know. We'll take a break. This will take several hours and we want you to be as comfortable as possible, considering all the circumstances.

As you know, this suit involves a claim by the estate of Rosalie Haight against a number of defendants, including the tobacco manufacturers, and the questions will be directed primarily to that area of inquiry.

If we can start, as I understand it you are here today as a result of a subpoena served upon you, are you not?

A. Right.

Q. Would you state your full name, please.

A. Betty L. Perkins.

Q. And your address?

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A. [DELETED]

Q. And your husband's name?

A. John.

Q. Are you employed, Mrs. Perkins?

A. No, I'm not.

Q. Is your husband employed?

A. Just retired this month.

Q. Where was he employed before he retired?

A. He was at Union Carbide at Institute.

Q. What was the nature of his employment there?

A. He was a chemist.

Q. Did he work in the lab there or in any of the units?

A. Several years in the lab and then the last few years in the silver department.

Q. What is the date of your birth, ma'am?

A. [DELETED]

Q. How long have you lived at the address in [DELETED] that you currently live in?

A. 38 years, 38, 39 years.

Q. And have you lived there since you've been married?

A. No.

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Q. Where did you live before?
A. On [DELETED] and then several years of travel with my husband in the service.
Q. Was your husband always employed by Carbide since you've been in [DELETED] ?
A. No. He was with Pure Oil Company in Cabin Creek, first few years after he got out of the service.
Q. When did you first have occasion to meet Rosalie Haight?
A. It's been close to 32 years, I guess. She was a neighbor of mine.
Q. Did you first meet her when they moved into the address on [DELETED] ?
A. Yes. That's where they lived when I met her.
Q. Do you recall the approximate year? I can help you, I think. They moved to the Staunton Avenue address in 1946.
A. I met her about in 1951 or '2, I would say.
Q. Mrs. Perkins, how many children do you have?
A. Four.
Q. And what are their approximate ages?
A. 38, 35. I have to think of the years they

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were born. 27 -- 28, rather, and 25.

Q. And the names, starting with the oldest, if you will.

A. Patricia Lou and John Richard, David Earl and Polly Elizabeth.

Q. When you first met Mrs. Haight, what were the circumstances, if you recall?

A. The first time I met her my young son had left his tricycle behind the driveway and she backed her car out and hit the tricycle, and it scared her to death. She thought he was on it. That was the first time I met her.

Q. And after that where was your home in relation to their home? Was it immediately on the other side of the alley?

A. Yes, across the alley. Our backs of each house was at the -- --

A. After that what was the nature of your relationship with Mrs. Haight?

A. Well, at the time she didn't have children and I did, so we didn't have a whole lot in common the first time we met. Then they began to adopt and then she had one of her own so at the time we strolled the children together in strollers, all the way through their childhood we were quite

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friendly.

Q. During the initial period that you were there when they first moved into the neighborhood, were you employed at that time?

A. No.

Q. Have you ever been employed?

A. No. Well, only before I was married.

Q. And I take it early on in the late '40s Mrs. Haight was employed. Did you know her while she was employed?

A. No, I guess not. I don't recall her ever being employed.

Q. From earlier testimony she apparently worked in the office of Dr. Condry. Do you have any recollection of that?

A. No.

Q. Insofar as the earlier years are concerned in the early '50s, and all through the '50s, what was the principal nature of the relationship? Was it based around the children?

A. Mostly, yes.

Q. Did you have occasion to visit them on a social basis with the husbands involved?

A. Sure, many times.

Q. And approximately how often would

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that have occurred?
A. Well, I'd be guessing, but I'd say on the average of once a month we'd get together.
Q. Would that be just for a cup of coffee, a drink or informal dinner or something of that nature?
A. Usually, yes.
Q. Did you all have an occasion to go out together as a group, a foursome? By that, out to dinner or to movies or dances or things like that?
A. You know, I can't recall other than one time us ever going out.
Q. Did your husband and Mr. Haight ever have occasion to socialize together, other than with the ladies?
A. I don't think so. I don't recall.
Q. Were your children in the same schools that their children were at any time?
A. Yes.
Q. Did you and Mrs. Haight ever go to PTA meetings together?
A. Oh, yes. Many times.
Q. Were you ever in any volunteer groups or organizations together that you can think of?

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A. Seems to me at one time -- I do volunteer work at Memorial and I think she joined at one time and stayed with it for a while, but it wasn't too long. She didn't stay with it very long. But I don't think of any other, other than school things that we were ever in together.

Q. Was there any church affiliated projects that you were in together?

A. No.

Q. It is my understanding that her children were on occasion in various church movements or projects or something of the Church of the Good Shepherd. Did you and your husband happen to go to that church?

A. No, we didn't.

Q. Did you and your husband or you individually ever have occasion to go on any trips with Mr. and Mrs. Haight or either of them?

A. No.

Q. The PTA meetings that you all may have attended together, what schools would have been involved with those?

A. Would have been Chamberlain Elementary School and the junior high, Horace Mann.

Q. Now, the Haights had three children.

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I understand Ann and Will were very close in age together.

A. Yes.

Q. Which of your children would have been a similar age to that?

A. David.

Q. And then Patricia would have been a closer age to Earl?

A. To who?

Q. To your son Earl.

A. Yes, she was the oldest.

Q. Patricia was the youngest.

A. Oh, you meant Pat Haight. I thought you meant my Patricia.

Q. No, ma'am, I'm sorry.

A. Yes. My young daughter and she are still very good friends and have been all through school. My daughter Polly is more her age.

Q. Your daughter Polly.

A. She's my youngest, Polly Elizabeth.

Q. She's the 25-year-old?

A. Yes.

Q. Were any of your children in the same classes with those children, the same year in school, or do you recall?

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A. They must have been. They're so close to the same age.

Q. During the time that the Haights lived on the Staunton Road address, and I understand they lived there until approximately 1965, was the nature of your relationship pretty much the same as you have described it?

A. Yes.

Q. When they moved to Kanawha Avenue in approximately 1965, how did the relationship change, if it did?

A. Oh, I don't think it did.

Q. How often would you happen to see Mrs. Haight?

A. Oh, two, three times a week.

Q. What would be the nature of the visit then?

A. Usually school, something to do with school, or taking the children over there or bringing hers to my house.

Q. Did the amount of socializing outside of school activities decrease at that point or did it remain the same?

A. About the same.

Q. In other words, you and your husband

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would still have occasion to see them perhaps once a month?

A. Yes, still the same.

Q. And how long did that last?

A. Oh, I think Rosalie and I saw each other a whole lot more than the men ever did. We sewed together, we did quite a few things together. I don't know, all through her life. The later years when the children were grown, I don't think we saw each other. We talked by phone every day but didn't see each other weeks at times.

Q. Did you still have occasion to talk with her by phone, say, four, five times a week from the period of 1980 up until the time of her death?

A. Oh, yes.

Q. Your children, did they remain in the Kanawha City schools until they went to high school?

A. Yes, they did.

Q. Did they then go to Charleston High School?

A. Charleston High.

Q. Did your children have any occasion to have any work beyond high school in conjunction

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with any of the Haight children? Did they go to college together or anything of that nature?

A. No, they didn't.

Q. Are your children now residing in the [DELETED] area?

A. All but one.

Q. And which one is gone now?

A. David.

Q. And where is he residing?

A. He's in [DELETED] .

Q. And Patricia, is she married now?

A. Yes.

Q. What is her married name?

A. Fields, F-i-e-l-d-s.

Q. Where does she live?

A. In [DELETED] .

Q. And John?

A. He lives in [DELETED] , also, on [DELETED] .

Q. And Polly?

A. She lives in [DELETED] .

Q. And is she married now?

A. Yes.

Q. And her married name?

A. Is Paxton, P-a-x-t-o-n.

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Q. Have you or anyone in your immediate family ever had cancer?

A. No.

Q. Have you or anyone in your immediate family ever had any type of bronchial or lung disease?

A. I don't suppose. I don't remember. My mother had some heart trouble, but other than that.

Q. Okay. Do any of your children have a close relationship with any of the Haight children at this point, see them regularly?

A. They don't see them but my young daughter and Pat Haight are still very close friends, and they talk by phone.

Q. Did your children have occasion to visit in the Haight home regularly in the last ten years?

A. Yes. My daughter, youngest daughter.

Q. Polly?

A. Yes.

Q. Did Polly attend college?

A. Two years.

Q. And where did she go?

A. She went to University of Charleston one year and West Virginia University the second year.

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Q. While the children were in school with the Haight children, did they participate, that is your children, in any of the sports activities or band or things like that?

A. David and Will played baseball together. But other than that, they each went different ways in sports.

Q. Did you and Mrs. Haight happen to go to the games together at any time or do you recall?

A. I can't recall, but I'm sure if they were both playing, we were there.

Q. What type of activities would you all, or would you happen to see her in involving the school; obviously the PTA meeting, but do you recall anything else you attended in conjunction with her?

A. I think the homeroom mother was the big thing then, if I remember. Other than that, I think those are mostly the things.

Q. Did the schools have any fund-raising projects or anything of that nature that you would happen to be involved in with her?

A. I don't recall any.

Q. That's unusual.

A. Yes, it is. I'm sure there were some but I

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can't remember them.

Q. During the period that you all had your children at Horace Mann and Chamberlain, were there any problems with the schools that you can recall that the PTA was involved in?

A. I don't recall any problems.

Q. Did any of the PTA meetings ever stir up any controversy or any issues discussed that raised anything that you have a recollection of at this point?

A. I don't recall any. Hadn't really thought about it. It doesn't come to mind. I'm sure through the years there must have been a few.

Q. Was Mrs. Haight ever an officer in the PTA or taking an active role?

A. I don't think so. I don't remember her being.

Q. Do you ever recall being an officer or taking an active role other than just as a member?

A. No. Just as a member.

Q. Was she a homeroom mother to your recollection?

A. Yes, I'm sure she was.

Q. And were you also?

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A. Yes.

Q. Did your family have a family physician in the Kanawha City area during this period?

A. When the children were little?

Q. Yes, ma'am.

A. Nobody in Kanawha City. Later we had Dr. Jimmy Mangus and we still do, but they had their own doctors, the children did.

Q. You basically are here because of the lawsuit that has been filed. When did you first become aware of this lawsuit?

A. I'm trying to think when. I guess when it first appeared in the paper, before Mrs. Haight.

Q. You had never discussed it with her before you saw the paper?

A. No, I hadn't, and then I called her immediately.

Q. What was the nature of your conversation at that time?

A. Well, other than asking her what in the world was going on, I didn't understand, and then she told me that it was a case against the tobacco company, and other than that, that's all I recall.

Q. Did you ever have an occasion to

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discuss the lawsuit with Mr. Haight?
A. No.
Q. After the lawsuit was filed did you ever have occasion to see Mr. Haight, or do you recall?
A. Well, I'm sure all during the funeral and the weddings and social things like that, and then I went to see him a couple times after Mrs. Haight died. But other than that, no.
Q. Has anyone other than the discussion you had with Mrs. Haight or your family discussed the lawsuit with you, to your recollection?
A. No. Judy Resplar -- wrong.
Q. Judy Alexander?
A. Yes. I called her when I got the subpoena and asked her if she had been subpoenaed and she said she had.
Q. She agreed that unfortunately she had?
A. She had.
Q. Did you have a chance to talk to her last night?
A. No, I haven't talked to her. I knew she was to go before I was and I thought the less I knew, the better.
Q. Have you had a chance to talk to any

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of the lawyers involved before this thing?

A. No. Talked to Mr. Haight by phone.

Q. And when was that?

A. Two or three days ago.

Q. And what did he tell you about the lawsuit?

A. He just told me the same thing that had appeared in the paper. The only thing I can tell you is don't be nervous and tell the truth. Whatever they ask you, tell the truth. And I said okay. So that's all.

Q. And I take it you had no materials of any kind to look at before coming here, such as pleadings or anything of that nature?

A. Oh, no.

Q. Do you have or have you ever heard of a lawyer named Andrew J. Goodwin or Jack Goodwin?

A. Not really, no. I've heard the name, I'm sure, if it's the same Goodwin here in the city.

Q. Yes, ma'am.

A. Just know of the name is all.

Q. How about Joy Goodwin, his wife?

A. No.

Q. Have you met her?

A. No.

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Q. Do you know a Charles Forbes, who is a lawyer in town?

A. No.

Q. How about his wife, June Forbes?

A. No.

Q. You have known Mrs. Haight for a number of years and been with her on innumerable occasions. Did she ever relay much to you of her general background?

A. I knew her mother and father and we discussed her parents once in a while. And when they died I was with her quite a bit then.

Q. How did you happen to know the parents?

A. I met them at her house, I suppose. I never thought about it but it was through her at her home.

Q. Did you know John's mother, Mrs. Haight?

A. I never met her, no. She was living in the house when we lived there but I didn't meet her until after, I didn't know anything about her, really.

Q. Do you have any idea of what was the cause of her death?

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A. No, I don't.

Q. Rosalie never mentioned it?

A. If she did, I don't recall. She died at home. I know Rosalie helped quite a bit when she was ill, but I don't really know what of.

Q. Were you living in the neighborhood when they had some construction work done on their home, some additions to it?

A. Yes.

Q. What was the nature of that as you recall, the additions?

A. On the left side of the house they had a breakfast room added.

Q. Would that be the left side facing from the alley towards the house?

A. Yes, yes.

Q. Was there anything else added besides the one room that you can recall?

A. And then in the early years they enclosed a breezeway they made into a room, from the garage into the house on the right side facing the back of the house.

Q. Were the additions of frame construction, or do you recall?

A. No. They were brick.

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Q. Brick exterior?
A. Yes.
Q. Was it what they call a brick veneer?
A. No.
Q. Framing inside and then with brick on the outside?
A. I suppose.
Q. Well, my question in that regard, in the old days, back in the '30s, I guess, when they would have a brick house they might have two or three layers of brick.
A. Right.
Q. The brick veneer would be one layer of brick on the exterior. Was that as you recall the construction there?
A. As far as I know. I never really paid that much attention to it.
Q. Were you ever in the house while the construction was going on?
A. Yes.
Q. Was there any type of problem with keeping the debris down and that sort of thing, the mess the contractors were making?
A. I don't know. I don't recall.
Q. You never noticed any sawdust around

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or anything like that?
A. Oh, I'm sure there was in the kitchen area. That's where the new room was added.
Q. In the house on Staunton Avenue, did Mrs. Haight do gardening of any kind?
A. Yes.
Q. What kind of gardening did she have, gardens?
A. Oh, she had lots of flowers and then they had tomatoes and peppers, and odds and ends, I guess.
Q. Did she have any problems with any insects or anything in that area or were you free of that?
A. No, we had plenty of those.
Q. What did you do to get rid of them?
A. I don't recall. I used to tease Rosalie and tell her that her tomatoes were much bigger than mine because she went out and poured scotch on them at midnight, but she said she didn't. But other than that, I don't recall. I guess we use what anybody uses.
Q. Some kind of spray?
A. More than likely.
Q. Did Rosalie Haight do that too or do

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you know?
A. I don't know. I guess.
Q. Was any type of fertilizers used that you can recall now that you used?
A. Oh, yeah. We used fertilizer. Usually had baskets of farm fertilizer brought in.
Q. The organic type?
A. Yes.
Q. Do you know whether or not the Haights used anything of that nature or did they buy something commercially?
A. I don't recall. We used to always, had piles of manure, pass it back and forth, as they do in a neighborhood.
Q. Did you all ever happen to shop together while you were living there?
A. Grocery shopped, many times.
Q. Where did you all buy your groceries in that area, the majority of times, when you were together?
A. Usually, it's Foodland now. I can't think of what it was before.
Q. Is it Kroger?
A. No, not Kroger.
Q. Big Star?

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A. Big Star, that's what it was.

Q. Did you have a neighbor in that area by the name of Campbell that worked at the Kroger store?

A. Yes, Bill Campbell.

Q. Did you ever shop at his store?

A. Once in a while. You mean when he was with Kroger?

Q. Yes, ma'am.

A. Oh, yes, lots of times, yes.

Q. Was there any reason -- did he then leave Kroger or what?

A. Yes, he left and started his own company.

Q. Did you shop at the Kroger store with Mrs. Haight thereafter?

A. No. Rosalie wouldn't go back. There was something about some foods that Bill either sold or didn't sell and then when they either fired him or laid him off, she thought it was such a dirty trick, she said I'm not ever going back to Kroger. I think she did a couple times but not weekly shopping like we used to do. She was real put out that Bill was let go.

Q. Did she discuss that situation with you?

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A. I'm sure we did. I can't recall her reason now, when he left there, but I don't think either one of us went back to Kroger for a long time.

Q. Was there any particular place that you all would go together as far as dry cleaners were concerned?

A. No. Most of us had the cleaner come to the door. Other than that, that's about it.

Q. Which cleaner was it that you all used in those days?

A. I think Gardener for a while and then we went to Magic, which is a cleaner there in Kanawha City.

Q. How about drugstores?

A. We had a Rite-Aid drugstore.

Q. Did Mrs. Haight use that primarily, do you recall?

A. As far as I know. I suppose she did.

Q. Do you smoke?

A. Yes, I do.

Q. Was there any particular place that you would buy your cigarettes in those days that the Haights lived there or that you all shopped together?

A. Just at the grocery store.

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Q. Where would Mrs. Haight buy her cigarettes, if you recall?
A. I suppose she got them at the store.
Q. I take it when you all switched grocery stores you were both somewhat perturbed about the treatment to Mr. Campbell?
A. Yes.
Q. Was there any particular reason why you switched cleaners?
A. No, I don't really know. I really can't recall why.
Q. You lived in Kanawha City for many years now. Was there any problem in your area insofar as odors, chemical plants or anything of that nature that you can recall at this point?
A. Oh, we still do have odors once in a while.
Q. How often would that be?
A. Oh, once, maybe every two weekends, notice an odor in the air.
Q. Since your husband worked at Carbide, I assume you attributed them to Dupont?
A. Naturally. After all, the river flows that way.
Q. That's what I thought. Did you have any problems in the area itself with anything

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other than this occasional odor, anything in the environment that comes to mind at this point?

A. No. Really Kanawha City has been pretty free of things like that. I don't recall. In the early days we had a lot of train dust when we first moved to Kanawha City, but that was gone after the trains left and really I don't know of anything.

Q. And I take it that the so-called train dust that you're talking about is basically --

A. It was coal.

Q. The residue of the burning coal?

A. Right, right.

Q. Did you have any problem with that on the siding of houses?

A. Well, years ago I can remember walking out on the porch and it was just crunchy. This is when we first moved to Kanawha City. And often you'd see it in your bathtub, anything white that showed. But after the coal trains left I didn't notice it at all.

Q. Your home, was that a framed home or brick home?

A. It's frame.

Q. Painted white?

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A. Yes.

Q. How often would you have to repaint a home like that in Kanawha City?

A. About every three or four years.

Q. Did you have to hose it down then in those earlier days with all the coal dust?

A. Well, I really don't know. I'm sure my husband had to once in a while but I don't recall.

Q. Did you and Mrs. Haight ever have any discussions about problems created by coal dust, for instance, from the trains?

A. Only the children when they'd come in, they'd be black with dirt.

Q. When basically was that problem alleviated; do you have a recollection now of when they switched from coal burning engines?

A. I really don't know. My two oldest were so interested in trains, and we used to spend most of our evenings standing down here at the C & O station waiting for the train to come in. If not we'd go over to the other station, and it seemed to me they were six or seven years old before that ever quit, when they started having diesel engines.

Q. You're talking about your youngest child?

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A. My two oldest.

Q. Did you have any problems in those days with your automobiles, the finish on your cars?

A. Well, it would be hard for me to know because my husband's car was a mess always in Union Carbide's lot, so I don't know.

Q. Did you park it close to Monsanto then?

Did you have a car yourself in those days or did you use one car?

A. We used just one car. Car pooled it.

Q. Was the problems made and caused by the soot in those days something that you may have discussed with Rosalie Haight? I've heard some witnesses refer to Kanawha Valley crude or things like that. Was that ever discussed?

A. I don't recall. We still got a lot from steamboats, too, at that time, so it was kind of on both sides of us.

Q. Do the steamboats still create a little problem for you up there?

A. Once in a while we notice in the summer. I suppose that's what it is. I'm guessing.

Q. You can actually smell it?

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A. No, no. I just meant the grit.

Q. The residue?

A. Yes.

Q. In the neighborhood of Staunton Avenue, obviously you and Mrs. Haight were close. Who else was she close to or visited with fairly frequently?

A. Right in the neighborhood?

Q. Yes, ma'am.

A. I don't recall anybody really. Just all the neighbors. She would visit or we'd talk really in the yards when the children were out, but other than being very close to anybody right there, I don't think she was.

Q. Were there any other neighbors in the immediate area that had children roughly the same age that she had during that period of time?

A. One on the corner had a daughter, and there were several boys in the next block.

Q. Do you recall the lady on the corner?

A. Well, that's not their age, though. I've got ages wrong here. I'm trying to think of the early years of her two oldest and mine. There were several boys in the neighborhood. There were lots of girls in the neighborhood, so I suppose

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the children were all friends.

Q. How about Jack and Betty Mathews. They had a son. Was he a similar age to Will?

A. I think he was Will's age, yes. Young John.

Q. Can you think of anyone else by name?

A. No, not that were their age.

Q. Have you seen Betty Mathews in the last five years?

A. I haven't seen her in the last five, no, she moved.

Q. Is she still in Florida as far as you know?

A. As far as I know. Her oldest daughter was my oldest daughter's age, I believe.

Q. Can you think of any friends that Mrs. Haight had during that period when she lived on Staunton Avenue that used to visit her quite often, or on a regular basis?

A. Well, Judy.

Q. Alexander?

A. Alexander, of course. And she had several lawyers' wives that she was friendly with. That's all I can remember.

Q. Did you ever have occasion to meet Caroline Chaney, her sister-in-law?

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A. Oh, yes.

Q. When would those occasions arise, primarily at the Haight home?

A. Caroline was her sister.

Q. Yes. Did you have any social contact with Caroline Chaney outside of the Haight relationship?

A. No.

Q. The lawyers' wives that you have met perhaps at the Haight home, do you recall any of them by name at this point?

A. No, no, not really, I can't offhand.

Q. Would Vivian Sharp be one?

A. Oh, yes. When you mention them I can remember them.

Q. Mrs. Weber?

A. Weber? No.

Q. Kay?

A. Once in a while, yes.

Q. Can you think of any other friends of Mr. and Mrs. Haight that you have met in their home on more than one occasion?

A. I was trying to think of the couple that had the slaughterhouse out here. Names are just escaping me.

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Q. They had the what house?
A. It was a slaughterhouse, it used to be.
Q. Holz?
A. Yes.
Q. Becky and Charles Holz?
A. Becky and Charles, yes.
Q. And they lived on Connell Road?
A. They do now.
Q. Where did they live in the earlier days, do you recall?
A. No. It wasn't on Connell Road but I can't recall where it was.
Q. Did they ever live in Kanawha City in your general area?
A. Could have been. I don't recall.
Q. Do you recall whether or not they had any children that were the approximate age of the Haight children or your children?
A. I never met any of their children. I don't know.
Q. Insofar as Mrs. Holz or Becky Holz was concerned, when did you primarily meet her or see her? Was it on Staunton or Kanawha Avenue, residence of the Haights?
A. Could have been both. I just met her

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through Mrs. Haight at her home.

Q. Were they reasonably close as far as you know?

A. They were good friends.

Q. At the time of Mrs. Haight's death, was Mrs. Holz staying at the Haight home to help out for a while? Or there during the day for a considerable amount of time?

A. If she was I didn't know about it.

Q. Do you know the condition of Mr. Holz at this time?

A. No.

Q. Can you think of any other friends that you ran into on several occasions at the Haight home during the period that you've known Mr. and Mrs. Haight?

A. Oh, other than the Alexanders and the Holzs, I'm sure there's many. I just can't think of the names.

Q. The Alexanders, did you and your husband have occasion to socialize with them and the Haights together?

A. Yes.

Q. Did you have an occasion to socialize with the Alexanders at any time without the

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Haights?

A. We've been to their home, yes.

Q. In your relationship with Mrs. Haight, did you ever discuss her educational background with her?

A. No, I don't think so.

Q. Do you happen to know during the time that you have known her whether she ever participated in any classes of any kind? This was after she got out of college and was married, to further her education in any way or any type of courses given on any other subjects?

A. No, I can't think of any.

Q. In visiting her home while she was on Staunton Avenue and later on Kanawha Avenue, did you all ever have any discussions on politics or anything of that nature?

A. Oh, I'm sure we did. But I don't recall any of them.

Q. Did she have occasion to take, or did they take the Charleston newspapers, as you recall?

A. Yes.

Q. Both of them?

A. Both, as far as I know.

Q. There has been some testimony by Ms.

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Alexander that apparently they also took the New York Times. Do you have a recollection of that?

A. Rosalie liked the New York Times.

Q. What was it she liked about that, do you know?

A. I don't know. She liked the New Yorker magazine. But what she liked, I don't know.

Q. Do you know what other magazines or periodicals that you've seen in their home that they took?

A. Oh, many, but I don't recall. She took, of course, Life Magazine years ago, Time. I knew she liked the New Yorker. There's a travel magazine, I can't think of the name of it.

Q. Travel and Leisure?

A. That's not it. It's an old standard travel magazine that's been out for years that she enjoyed. She used to save articles on different places for me to read.

Q. What about books; did they have a library in their home?

A. Yes.

Q. Do you recall the general types of books that they would have or that she had an interest in?

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A. No. She was an avid crossword puzzle worker.

Q. Did she have a good vocabulary?

A. Yes, very extensive. Put me to shame. Other than that, she liked mysteries. I don't recall any other books.

Q. We've also heard at times that Mr. Haight was a Civil War buff. Do you have a recollection of that?

A. Slightly, just, you know, in passing. I can remember words.

Q. The New York Times, did you all ever discuss any articles that she would read in that and talk to you about?

A. No. I can't remember any. There could have been.

Q. Were you aware of any health problems that Mrs. Haight was having while she lived on Staunton Avenue?

A. No. To my knowledge she didn't have any.

Q. Did she ever discuss high blood pressure with you?

A. Nope, not that I know of.

Q. Either during that period or later on?

A. Sometime after she moved, seemed to me she said she was taking some blood pressure medicine.

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But I can remember something about, the words came up about blood pressure. Because I have, I've been taking some. I guess that's how it came about.

Q. Did she ever have any problem with dieting or anything of that nature that you can recall?

A. No, not as far as I know.

Q. Do you ever recall her trying to lose weight?

A. Oh, yeah, come spring.

Q. As all of us do.

A. Yes.

Q. Did she ever set goals for herself in that regard or did she just cut down her eating or how did she go about it?

A. She just cut back, cut out things.

Q. Was she successful in what she wanted to do?

A. Very much so, yes.

Q. In trying to do that basically, did you all ever discuss trying to lose weight together or anything of that nature?

A. Oh, sure, yes.

Q. And she was able to accomplish what

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she wanted to do?
A. Seemed like she did, yes.
Q. Did she ever discuss diets with a physician of any kind that you know of?
A. Not that I know of. She never was that much overweight.
Q. In her reading you mentioned a minute ago that she seemed to like mystery novels, or mystery books of some kind. Did she ever discuss with you why she liked them or anything of that nature or what it was about or any particular type she liked?
A. No. I know there would be some on TV, she'd say are you going to watch so and so. We both liked the 9 and 33 English plays, we liked those, and the mysteries. But other than that, that's the only thing I can remember discussing as far as that's concerned.
Q. In her home when you would visit there would she generally have the radio on during the day or not?
A. Television.
Q. The television?
A. Yes.
Q. Did you all ever discuss any

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particular type of television programs that she enjoyed or that she watched?

A. I think some game shows, and as I said we liked the mysteries and the channel 9 and 33, the educational channels, English plays, some of them.

Q. How about the news?

A. Yes, she liked the news.

Q. Did she watch TV news on a regular basis, to your knowledge?

A. Well, I knew John did, so I suppose she did, too. You didn't call John between 7, 7:30 or 6:30 and 7, whenever it was on.

Q. Did she do most of the cooking for her family?

A. Yes, she did.

Q. Did she have a television in the kitchen area?

A. Yes.

Q. And this was on Kanawha Avenue?

A. Yes.

Q. Did you ever have occasion to be there early in the morning and see the news on?

A. No, I don't recall.

Q. Did she ever discuss programs like 60 Minutes with you? Did she have a fondness for

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that, if you know?
A. I don't know.
Q. Did you all ever have occasion to discuss current topics that may have gone on in the West Virginia area or Kanawha County area or on a national basis?
A. We surely did but I don't recall any of them.
Q. How about things like the textbook controversy; did you have any discussions on that?
A. Probably, yes. I don't remember them.
Q. Do you have any idea what her views on that were?
A. No, I don't.
Q. Was she the type of person that formed her own views on things or did she adopt the views of her husband?
A. Her own. Very much so.
Q. Was she an intelligent lady?
A. Very.
Q. Did she and Mr. Haight on occasion have different views on current topics?
A. I guess so. I don't know. She was very strong in her own opinions and he is, too, so I'm sure.
Q. Did she ever have any views expressed

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to you about any problems with the schools, for instance? Not textbooks necessarily, but the schools.

A. You know, I know there must have been through the years but I just don't recall any of them. We all had problems with this and that in the school, a teacher or something or other.

Q. Do you ever recall her taking any trips to the schools relative to any problems she may have had with any teachers or problems her kids may have had with other students or anything of that nature?

A. I don't recall any.

Q. From your relationship with her and your knowledge of her, would she have had any problem in doing that if the occasion arose?

A. Not a bit.

MR. FARRELL: Objection. Calls for the witness to speculate.

Q. Now you may answer.

A. I don't know, really. I don't see why it would bother her a bit, because if she had something that bothered her, she did something about it, as far as I know.

Q. And that's your impression of her?

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A. That's my impression of her. She's outspoken.

Q. Insofar as her reading was concerned, she liked mystery novels, and she apparently liked the New York Times. Did she read the local papers, also? They took them but do you think she read them?

A. Oh, yes.

Q. Do you know what parts of the papers she had a particular interest in? Just the headlines or social pages or what?

A. I don't know. I guess the whole paper. She liked the crosswords, she always worked them, but she read both papers, as far as I know.

MR. RUGELEY: Why don't we take a five or ten-minute break here.

(Recess taken)

Q. Mrs. Perkins, we were talking earlier about interests of Mrs. Haight. Did she have an interest in the decoration of her home?

A. Very much, yes.

Q. And in the interior part of the home, did she basically decide how she wanted the interior decorated?

A. Yes.

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Q. Was she the type of person that would seek the services of an interior decorator or did she make those decisions herself?
A. She might talk to one to get ideas to strengthen her own ideas but most of it was her own.
Q. Did she work with her husband on that or was she like my wife who made the decisions on the interior herself?
A. I'm sure she asked John. But most of it was her own. I don't think he had the interest she had in it, even though it was his own home, or his parents' home.
Q. Her reading, she liked mystery novels and she liked the type of programs that were on the special channels for special education, that sort of thing. In doing that, did she like to try to figure out the end of the mystery ahead of time or did she have that type of inquiring mind or not?
A. Yes, I think she did.
Q. Crossword puzzles, did she work with any other type of puzzles?
A. I don't recall any, just crosswords. She had books on crossword puzzles.
Q. Did she play bridge?

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A. She did but she didn't play often. I don't think that she really enjoyed cards too much.

Q. At one time, if I can recall correctly, she indicated that she had belonged to a group of four people or something that played bridge. I don't know how regularly, but do you happen to recall that?

A. No. I wasn't included in it because I didn't like bridge.

Q. The conversations that you all would have together as would be normal when you're having a cup of coffee or discussing children or something, do you recall any of the general topics of current interest that you might have discussed with her?

A. Nothing comes to mind. Whatever was current at the time, I'm sure.

Q. Well, for instance, something like birth control pills and any problems that might be associated with the health problems. Did you all ever discuss that issue that can you recall?

A. Yes, I'm sure we did, yes.

Q. Do you recall whether she had any views on that?

A. I don't know. I really don't. Can't think

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of anything.

Q. The things of men in space and that sort of thing, do you recall any discussions you may have had with her on that?

A. Other than it being exciting and we were interested, no. I don't know of anything in particular.

Q. Did she have any views pro or con as to whether or not they should be doing that?

A. Knowing Rosalie I kind of feel like she would like that, she would be for it.

Q. Civil rights, did she have any views pro or con on that, voting and that sort of thing?

A. I don't recall. I don't think Rosalie was ever very prejudiced. I can't recall her being prejudiced.

Q. Did she ever work in any elections that you know of?

A. Not that I know of.

Q. The problems with drugs in the younger society, did she have any feelings on that one way or another that you can recall?

A. No. I know we discussed often about how in the world did her and mine escape it. We've always wondered, but neither her family or my

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children ever had a drug problem. We don't know why.

Q. Count your blessings.

A. Right.

Q. Did she give any opinions as to anything that should be done by the schools to help the situation, or the law enforcement officials? Did you all have discussions along that line?

A. I don't recall anything.

Q. In her household while you were there, who, to your knowledge, was responsible primarily for the discipline of her children?

A. She was.

Q. Were curfews established, as in many households, for her children?

A. I'm sure there were, yes.

Q. Do you know who would have established those?

A. No, I don't. I really don't.

Q. Did she have any views or did you all have any discussions on potentially harmful effects of caffeine?

A. I don't think Rosalie drank very much coffee. If she did she drank decaffeinated. That was one

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of our big things. I'd go over there and I didn't like her coffee because it was decaffeinated. And she'd come to my house and I didn't have any decaffeinated.

Q. Insofar as automobiles were concerned, did she help select or did she select the cars she drove or did John do that?

A. I really don't know. I don't know really who did the selection. She liked her car. I kind of got a feeling John did.

MR. FARRELL: I'm going to object and move to strike each answer that has begun with "I don't know" and ended with "I've got a feeling this would happen," because I think the witness is expressing her opinion other than what specific recall she may have of any situation.

MR. RUGELEY: Of course, needless to say, we're interested in her opinion as well.

MR. FARRELL: Well, if you're asking for her opinion, fine. But the questions are directed toward what she knows and I think she's giving you answers based on her opinion of what the situation would have called for rather than a specific recall of any situation.

Q. The household in essence and the

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raising of children, did you and Mrs. Haight have any conversations about types of discipline for children?

A. Yes. Often.

Q. What generally was her primary method of discipline for her children?

A. Mostly she deprived them of something or sent them to their room. That was mostly the way she did it.

Q. From your observation was that an effective method of discipline for her children?

A. From my observation, it did all right. They were good children.

Q. Was the situation of spanking ever discussed that you can recall?

A. I really don't remember if it was or not.

Q. Do you recall whether she and Mr. Haight ever had disagreements with her method of discipline?

A. No, I don't remember.

Q. Did you all ever have any discussions on any topics related to health concerns? And we've talked about possibly birth control pills and things like that. Did you ever have any discussions on any other subjects related to

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health?
A. Not that I can recall.
Q. Did you all ever discuss smoking?
A. Yes.
Q. Was this while she lived on Staunton Avenue?
A. No. Probably after she moved, when smoking became a big to-do everywhere.
Q. Do you recall at this point what caused or originated the discussion?
A. Unless it was something on TV or in the paper that brought it up, I can't recall.
Q. Was it at a point where you still had children at home?
A. Yes.
Q. And she had children at home?
A. Yes.
Q. What was the nature of your discussions at that point?
A. Usually we discussed that probably we should quit, that we both enjoyed it and it was along those lines. That's all I can recall.
Q. What did Mrs. Haight do insofar as leisure activities were concerned?
A. She and John traveled in their mobile home.

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They took my daughter many times on trips along with their young one. Other than that, Rosalie liked gardening in the summer and she did hand work. She sewed in the winter months. But that's about all I remember.

Q. Do you recall her on any exercise programs of any kind?

A. I think she exercised by herself in the mornings she said.

Q. Have any idea what type? Was it walking or riding a bicycle?

A. No, it wasn't walking. They had a bike and I think she did her exercises in the mornings on both, maybe the bike and the floor.

Q. Did you and your husband ever take any trips with them?

A. No, we never did.

Q. Just your children or the one?

A. My youngest daughter, yes.

Q. Do you recall where they went on the trip, was it a state park or something?

A. No. They usually went to Florida. They went to the beach, several times.

Q. Did Mrs. Haight have any interest in athletic activities as a spectator?

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A. Not that I know of, no. I don't recall.

Q. As I recall, she had a swimming pool at her home.

A. Yes.

Q. Did she use it with any regularity?

A. Yes. Very often.

Q. Did you have occasion to enjoy it with her?

A. Oh, yes.

Q. Do you know of any organizations or clubs that she belonged to? And I understand at one time they may have belonged to Berry Hills Country Club?

A. Oh, yes.

Q. Do you know of any other organizations or clubs?

A. I don't recall any others.

Q. The volunteer work that you did at the hospital, was that with what was I guess called Charleston Memorial Auxiliary?

A. Yes. Memorial Auxiliary, yes.

Q. She worked, I guess, at the hospital for a while, you indicated. Did she ever join the auxiliary, or do you have a recollection of that?

A. I don't know if Rosalie joined or not. You

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don't have to join it to do volunteer work. So whether she joined I really don't know. She didn't stay with it too long. She worked in physical therapy.

Q. What part of it did you work with?

A. I worked in a good many of them. Right now I'm in the mail desk.

Q. Did she have any particular interests that she participated in with her husband or her interests as to leisure and recreation separate, other than vacations?

A. I don't know. Other than going to dinner once in a while, some dances. Other than that, that's all I know.

Q. Did you and your husband ever have occasion to go to a dance with them?

A. No.

Q. Do you know what dances they may have gone to? By that, it's generally a sponsoring group of some kind, whether it's call a cotillion club or something like that.

A. Fraternity or -- I can't recall. Something with the university they belonged to, I believe.

Q. You mean West Virginia University?

A. Could have been.

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Q. An alumni association?
A. A university club, isn't there a university club, here in the city?
Q. There may be.
A. Yes.
Q. They never invited me so I can't tell you.
Did you ever have any discussions with her about current fads that kids may be involved in or something that was going on, the punk look, that type of thing?
A. Well, we didn't have the punk look when our children were young, thank God.
Q. I use that as an example.
A. Bad example. You know, I'm sure that during the years ours were growing up together there were fads we discussed but I can't recall.
Q. How about long hair for the boys?
A. That was one. I'd forgotten that.
Q. Did she have an opinion on that?
A. I'm sure she did.
Q. Did she ever express it to you?
A. Her son had fairly long. I mean, it wasn't ridiculously long. And mine went the other way and he practically shaved his head, so I don't

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know. But there had to have been with the two extremes some discussions about it.

Q. Did she approve of it, or do you have a recollection of that?

A. I don't think she approved or disapproved. She pretty well let them do their own thing, within reason.

Q. The Haight home, did she have help with some of the chores around the house?

A. At one time she had help, yes, when the children were smaller, when they lived close to us. But after she moved, she didn't have it as often.

Q. Did she have full-time help or was it once or twice a week, or do you have a recollection at this point?

A. I don't think she had full-time help. She had somebody once a week, maybe.

Q. Do you recall who that was?

A. Jackie. Her name was Jackie.

Q. Jackie Cowans?

A. I never knew Jackie's last name. I don't know. I knew her for years but didn't know her last name.

Q. Did Jackie work for anyone else in the neighborhood, other than Mrs. Haight?

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A. I don't think so, no.

Q. Did Mrs. Haight have any other interests around the home or abilities in refinishing furniture or things like that?

A. Yes, she could do that, yes.

Q. Do you recall that she did that sort of thing?

A. It wasn't often. I doubt once every two years. But she could do it if she had to.

Q. Do you ever recall her doing any wallpaper work in small rooms or something like that?

A. No.

Q. Some ladies have that talent.

A. And some don't.

Q. A lot of men don't.

A. She could paint.

Q. Did she paint?

A. Once in a while.

Q. What type of things would she paint?

A. Usually a wall or something of that sort if she wanted to change it.

Q. And I take it if they had a major project going, why, they would hire a painter, but she would do a small project?

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A. Oh, yes. But it wasn't very often. She could do it.

Q. When they lived there on Staunton Avenue I take it her children were babies?

A. Young, yes.

Q. Was that during a period when they had disposable diapers?

A. No.

Q. Or was that during the period that the johns were always full of them?

A. That one. She had diaper service for a while. We did on her two oldest I think and my two oldest ones. And then we got in our own diapers because we used to talk about how great the dust rags were when they were gone.

Q. In those days was there a problem with diaper rash on occasion?

A. Oh, sure, yes.

Q. Do you know what she used for diaper rash?

A. Desitin was the favorite thing for us I think about then. According to my grandchildren, still good.

Q. At times did you ever use Vaseline for that?

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A. Oh, I suppose. We've all used it.

Q. How about talcum powder, do you ever recall using that?

A. Yes.

Q. Did she use it on occasion?

A. I'm sure, yes.

Q. Being around her during periods, and obviously you weren't around her early in the morning and all that, but did you all ever discuss different deodorants, for instance?

A. No. I don't know.

Q. I realize these are strange questions. Do you ever recall in the summertime whether or not she would use a spray deodorant possibly or a stick deodorant or do you have any recollection?

A. I don't have any recollection.

MR. FARRELL: Are you restricting this question to summertime?

MR. RUGELEY: Yes.

MR. FARRELL: I see the distinction.

Q. Do you ever recall her using talcum powder or any kind of powder?

MR. FARRELL: Asked and answered. Objection.

MR. RUGELEY: On herself, Mr. Farrell.

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MR. FARRELL: You didn't say that in the question.

A. I don't recall any.

Q. The times that you were in her home, did she ever have occasion to watch any of the morning shows that had M.C.s on them and got into various discussions of current events? I think Dave Garroway may have had some of those shows.

A. She watched The Today Show.

Q. Do you recall any other shows that she may have watched in the morning that would cover current issues of some kind, whether they were panel shows or that type of thing?

A. I don't know.

Q. Did they take the Reader's Digest or do you recall ever seeing it in their home?

A. You know, I don't know. Rosalie often said something about Reader's Digest. She hated articles that left you hanging. They'd shorten a novel in one and she thought that was terrible. So she said she didn't have any Reader's Digest. I liked them and she didn't. That's why I remember that.

Q. From your observation did she have the type of mind that she would like to seek the

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answer to something, an inquisitive mind?
A. Very inquisitive, yes.
Q. Do you have any feel for approximately how much time a day she would spend reading? Did she have any set time that she would like to read?
A. No. She did read a lot but I don't know when. She didn't read much when the children were young but she could have after they were gone.
Q. Did she have any news commentators that she particularly liked that she may have talked to you about at any point?
A. No.
Q. Earlier on, for a period there were some news commentators that were particularly well known, particularly I guess during World War II, like Edward R. Murrow. Did you all ever listen to him? I realize that was before you got to Staunton Avenue but did you ever discuss him?
A. We listened but I don't recall discussing it.
Q. At some point I think Edward R. Murrow had a cancer problem. Do you recall ever having a discussion with her about that?
A. I don't recall discussing it with her, no.
Q. Did you take the Reader's Digest in

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your home?
A. Yes.
Q. Did you ever read any articles in that about smoking?
A. Oh, yes.
Q. Did you ever have an occasion to discuss those articles with Mrs. Haight since you both smoked?
A. No.
Q. Did you and Mrs. Haight ever discuss any articles, periodical articles or newspaper articles about smoking?
A. No, not that I can recall.
Q. Did Mrs. Haight and you on your trips to the store, grocery stores, ever discuss household cleaners, for instance, or detergents or brand purchases as to what you wanted to use or how you decided to use them?
A. As I say, we must have through the years, but I just don't recall.
Q. In your shopping, what interests you in switching a brand?
A. I suppose if I think it's an improvement over what I've been using.
Q. Does price have an effect?

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A. Not really. Not per se.

Q. In your observations of Mrs. Haight in her shopping, do you have any recollection of what might cause her to switch a brand to something?

A. I have no idea.

Q. The closeness that you all had insofar as location, did you all trade magazines and books back and forth to any extent?

A. No.

Q. Do you know whether Mr. Haight took any particular magazines that he had an interest in?

A. Not that I can recall.

Q. Did you all take the Saturday Evening Post in your household?

A. Yes.

Q. In those days?

A. Back then, yes.

Q. You say you took Reader's Digest?

A. Yes.

Q. And did you have that magazine from, oh, from the time that the Haights lived there during that general period? Have you always taken it?

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A. We've always taken Reader's Digest. We stopped the Saturday Evening Post, whenever they quit.

Q. You indicated that you may have seen some article about smoking. Do you recall any specific articles in Reader's Digest you may have seen about smoking?

A. No, I don't recall the names. If it was in there, I read them.

Q. Do you recall any specific content of any of the articles? Do you recall reading any anti-smoking articles in Reader's Digest?

A. Most of them are anti-smoking.

Q. Do you recall reading any articles in the Reader's Digest while the Haights were living behind you there that discussed health hazards of smoking, or a particular type of health hazard?

A. No. I don't recall.

Q. Do you ever recall reading any articles in Reader's Digest referring to the Surgeon General's report?

A. As I say, if it was there I read it but I don't recall the name of them.

Q. How would you basically describe Mrs. Haight insofar as her personality is concerned?

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MR. FARRELL: I'm going to object. That's been asked and answered.

MR. RUGELEY: I don't think it has.

Q. Go ahead.

A. As I see her, she had a nice personality, easy to talk to, for me. She was nice to be around.

Q. Was she a calm person?

A. Yes, she was.

MR. FARRELL: Object to the leading.

Q. Was she easy-going?

MR. FARRELL: Object to the leading.

Q. That's all right. You may answer. And at this point I might explain that he is making some objections in the event that this would be used at trial. For purposes of discovery you may answer it.

A. I'd say she's pretty easy-going, yes.

Q. Was she a perfectionist?

A. I don't think so, no. I hope not. No, I don't think she was.

Q. Did she have any nervous habits that you were aware of, such as biting her nails or chewing pencils or scribbling or anything of that nature?

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A. No, I don't think she did.

Q. Do you ever recall seeing her in any stressful situations?

A. Other than the death of her parents I guess would be the only time of anything that was very stressful. She cut her fingers very severely once and it didn't seem to phase her a lot. Scared me to death. Other than that, I don't recall ever Rosalie being or seeing her stressful.

Q. If we can, were you aware of the incident in which Caroline and Vince Chaney were involved in an airplane crash in South America?

A. Yes, I do.

Q. What do you recall about that incident and what happened after that?

A. I remember talking to Rosalie by phone when I saw it in the paper because I believe that's the first I'd heard of it, and we were discussing it and that she had already had word from where Caroline was, and that she was holding her own in the hospital and then each day we'd talk about it. But at one time she told me about Caroline, they thought she was dead when they carried her off the hill, and she moved or groaned or something and that made them realize that she was alive, and it

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was a long time before she ever got back here. And then she had a lot of trouble from then on, healthwise.

Q. You were there for, oh, I guess a substantial period of time close to her. Did Mrs. Haight have a regular eating pattern? Did she eat three meals a day, two meals a day or was there any regularity to it?

A. She ate three meals as far as I know.

Q. Did she have occasion to take vitamins or any pills or medications while you knew her, other than in the last period from '83 on?

A. Yes. I don't recall.

Q. I think you earlier mentioned, so the record is clear, that she did talk to you about high blood pressure one time?

A. Yes.

Q. She may have taken medication for that?

A. Yes. She had some medication in the kitchen window that I saw.

Q. Did she ever talk to you about any medication for a thyroid problem that she may have had?

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A. She had a scar and when I first met her we discussed it and she said that she had had a thyroid operation and that she would have to be on medication for the rest of her life.

Q. You indicate that she drank decaffeinated coffee. Did she drink diet soft drinks or regular soft drinks or do you have a recollection?

A. I don't think she drank any soft drinks. We drank iced tea mostly.

Q. Was there any particular type of iced tea that she drank that you know of?

A. Usually it was an instant.

Q. Did she use any type of sweetener in that?

A. Yes, but I don't recall what it was. She did. I can remember seeing it drop by drop. In the early years it was liquid.

Q. Her eating habits insofar as seasoned foods are concerned, did she like highly spiced foods?

A. I think she did, yes. She was a good cook.

Q. Did you all ever have occasion to go to any restaurants together that served, well, such as Mexican restaurants?

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A. No.

Q. I guess they didn't have many of them around in those earlier days.

A. Not then, right.

Q. When she cooked spicy foods, what kinds were her specialties, if you can recall?

A. Oh, geez, she loved to fix chicken in many ways.

Q. Did she tend to fry it quite often?

A. No, not fried. Baked in some ways. She did some of her own canning of things she liked, tomatoes and peppers and things. Just a general all-around good cook.

Q. Did she have any problems or reactions to any type of foods that you were aware of?

A. I never heard of them, no.

Q. Did you ever know of her having a reaction to any type of drug such as aspirin or anything like that, any type of medication?

A. Never heard of it.

Q. Did she have any allergic reactions to anything around the house such as silk or anything of that nature that you know of?

A. No, can't think of any.

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Q. Did she have any type of reaction at any point to pollen or anything in the air?
A. No.
Q. Had you ever observed her in a condition in which she may have had a problem with hives or anything of that nature?
A. I don't recall any.
Q. Did Mrs. Haight drink wine at any time?
A. Once in a while, yes.
Q. How about beer?
A. Never saw her drink beer. She could have.
Q. Did she ever drink cocktails?
A. Yes.
Q. What was her preference in that regard, that you can recall?
A. I think she drank vodka.
Q. And how was it mixed, if it was mixed?
A. Something like a vodka tonic usually.
Q. When you would be at their house for dinner, would you normally have a cocktail or so?
A. Yes.
Q. And I take it they would have the same at your house?
A. Oh, yes.

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Q. Did her general consumption of alcoholic beverages change over any period of time that you knew her?

A. No. Well, she drank but I don't know how much. We often had drinks in the evening, she and I. John would be late working. But other than that, I don't know much about her drinking habit.

Q. Do you ever recall seeing her drink during the day, other than if you might be out to lunch at the Army and Navy Club, something of that nature?

A. No, not usually. If it was, it was after four.

Q. Earlier on, do you recall seeing her drink scotch?

A. Yes. I'd forgotten about that.

Q. What during the latter years did Mr. Haight drink? Do you have a recollection of seeing him?

MR. FARRELL: I'm going to object.

A. I really don't know.

Q. When Mrs. Haight would drive, did you have occasion to ride with her in her car?

A. Oh, yes.

Q. And was this true when she lived on

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Kanawha Avenue and up to the recent years?
A. Yes.
Q. How would you describe her as a driver?
A. Very good. Firm, conscientious driver.
Q. Was she ultracautious or did she like to take chances or was she in the middle of the road?
A. No. She was just a good driver. She didn't go either way.
Q. Did she use a seatbelt during the latter years?
A. You know, I don't recall ever seeing her use a seatbelt.
Q. Do you use a seatbelt when you drive?
A. Definitely.
Q. Did you ever happen to have occasion to discuss seatbelts with her?
A. No.
Q. We have discussed briefly the accident that Caroline Chaney had and you indicated that Mrs. Chaney had some problems following the accident with her health. Were you aware that Mrs. Chaney was diagnosed as having cancer shortly after the airplane accident?

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A. Yes. I remember Rosalie saying something about a kidney they had found, or in that area somewhere. I never really discussed it a lot with her. I just knew she was miserable and was having some problems.

Q. Were you aware that apparently she was having treatment in the Washington D.C. area?

A. Yes, I remember that she went.

Q. Did Mrs. Haight ever go over there while she was there, to your knowledge?

A. You know, I don't know. She could have but I don't recall.

Q. Did Mrs. Haight ever discuss with you any possible causes of that cancerous condition in her system?

A. No.

Q. Did she ever relay to you what her brother-in-law, Vincent Chaney, or the physicians may have indicated was a potential cause of that cancer or possible cause?

A. No.

Q. Did you have occasion to see Mrs. Chaney after she returned from Washington in '71 or '72?

A. Yes.

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Q. Did you ever have occasion to discuss her health problems with her, other than say I hope you're feeling better?

A. No. The first time I saw her with the brace she wore on her leg was at one of the grocery stores. We were discussing it and she said she was getting well. Other than that, I don't recall anything else.

Q. Did she ever discuss cancer with you?

A. No.

Q. Did Mrs. Chaney ever discuss smoking with you?

A. No.

Q. Were you aware of any members of Mrs. Haight's family having cancer, other than Caroline Chaney?

A. No.

Q. Were you ever aware of any members of Mr. Haight's family having cancer?

A. No.

Q. Were there any immediate neighbors, or not immediate but neighbors in that general area that had cancer while the two of you lived there on Staunton Avenue, or while they lived on Staunton Avenue?

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A. Not while they lived there, no.

Q. Thereafter, while they lived on Kanawha Avenue, did you have any members in your neighborhood that had cancer, to your knowledge?

A. Their next door neighbor and behind me, Don Cork, I believe, died of cancer of the intestine.

Q. Did you ever have any discussion with Mrs. Haight about that?

A. I don't think so.

Q. How about Jack Mathews?

A. Jack was well when they left there, I mean as far as I know.

Q. Did you later hear that he had cancer?

A. No.

Q. And you had no discussions with Mrs. Haight about that?

A. No.

Q. The incident in which Mrs. Haight switched from Kroger to the other store I guess was caused by her irritation of the Kroger company over Mr. Campbell?

A. Yes.

Q. Did she have a propensity to switch things in her buying habits for any particular reason that you know of?

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A. No. I don't know of anything.

Q. How about in her consumption, would she switch from, say, scotch to vodka? Was there any particular reason she did that that you know of?

A. I have no idea.

Q. Okay. Did you all ever discuss any physical problems that Mr. Chaney may have been having during these periods?

A. No.

Q. Did any of your children have any physical problems or health problems that you may have discussed with Mrs. Haight, other than the normal measles or something of that nature?

A. I used to discuss with Rosalie about my second son -- my first son, rather, the oldest one. He used to leave school when he was in second grade and run off, and she helped me find him many times. Other than that --

Q. That's a common problem.

A. That's the only problem I can remember. She was a big help during that time.

Q. Did she ever discuss with you any health problems in other members of her family?

A. No. Other than her parents when they were

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ill.

Q. In your particular case, does your husband smoke?

A. No.

Q. Has he ever smoked?

A. No.

Q. How long have you been smoking?

A. About 35 years, I guess.

Q. Have you ever stopped at any point?

A. No.

Q. Have you ever tried to stop?

A. Once.

Q. How long ago was that?

A. Oh, I think about ten years ago.

Q. What brought that about?

A. I don't know, unless it was the beginning of the no-smoking things that came out. And my children get after me. Other than that, that's it I guess.

Q. At the time that you attempted to stop smoking, how did you go about it?

A. Cut down. It didn't work. And cold turkey, didn't work.

Q. Did you try both ways?

A. Yes.

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Q. At that period of time, approximately how much were you smoking?
A. Oh, less than a pack a day.
Q. And when you would cut down, was there a method that you would use to cut down?
A. I usually spaced myself one every hour or something like that.
Q. In talking with Judy Alexander, apparently she and Mrs. Haight had tried that same method on a couple of occasions. Did you all ever discuss that?
A. No, we didn't. Rosalie and I never did, we really didn't. I don't know why but we didn't.
Q. Did you ever discuss that with Judy Alexander?
A. I'm sure I have but I don't recall when.
Q. You tried the method of cutting down. Did you try that more than once?
A. Oh, often I put myself on so many a day, yes.
Q. And you tried the cold turkey method how many times?
A. Gee, I don't know.
Q. More than once?
A. I'm sure it has been, yes.
Q. And you started trying that you say

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about ten years ago?
A. Yes.
Q. Did you continue in your efforts for any period of time or did you just go for a two or three-month period and say the heck with it, I'll just go on and smoke?
A. I didn't get to the two or three-month period. A week is as far as I get.
Q. What I was getting at, and I didn't make myself clear and I apologize, your efforts, did they last over a sustained period, your efforts to limit your smoking or cut out, or did all of your efforts just come in one period of a year or three months or what have you?
A. Well, three months, yes.
Q. And since that time you haven't tried to stop smoking?
A. Not really, no.
Q. Did you ever discuss, or how much do you smoke now?
A. About a pack a day.
Q. What type do you smoke? Is it filter or menthol?
A. Filter, menthol, yes.
Q. Have you ever discussed cigarette

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brands with Mrs. Haight? Did you all ever smoke the same brand?

A. We never did smoke the same brand, as far as I know. We could have but I don't recall.

Q. Did you ever discuss different brands with her?

A. I suppose we have. We both smoked menthol.

Q. Did she ever give you a reason she smoked menthol?

A. No, she didn't.

Q. What brand do you smoke at this point?

A. Kent menthol.

Q. Did you ever borrow cigarettes from Mrs. Haight or did she ever borrow them from you?

A. Oh, sure, lots of times.

Q. What was your all's source for obtaining cigarettes, the grocery stores?

A. Yes.

Q. Do you have any recollection from conversations you've ever had with Mrs. Haight as to when she started smoking?

A. I think she told me in college.

Q. During the time that she lived on Staunton, approximately what was her average consumption insofar as cigarettes were concerned?

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A. I have no idea.

Q. Was she a chain smoker?

A. No, no. As far as I know she was never a chain smoker.

Q. What would your best estimate have been in those days that she was on Staunton Avenue, would it be between a pack and two packs or less than a pack?

A. Estimate, I'd say a pack or less.

Q. That's a day?

A. Yes.

Q. At some point in Mrs. Haight's life she indicated to us that she had smoked Chesterfields. Do you remember that?

A. No, I don't.

Q. An additional time in her testimony she indicated that she had smoked Kents. Do you have a recollection of that?

A. No, I don't. That's interesting.

Q. At another point in her life she indicated that she had smoked Salems.

A. That's what I remember her smoking later, come to think of it.

Q. At an additional point in her testimony she's indicated she smoked Carltons. Do

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you remember that?

A. No.

Q. Do you recall any other brands that she smoked?

A. No, I don't.

Q. Did Mrs. Haight ever have an occasion to smoke anything other than a cigarette, to your recollection, such as the baby cigars or the little pipes, that sort of thing?

A. I don't recall her ever smoking them.

Q. After Mrs. Haight moved to Kanawha Avenue, do you have any impression or from your observations or from talking to her that her smoking habits changed in that she increased her consumption or decreased it?

A. No.

Q. When she would smoke a cigarette, would she have a habit of lighting it and then putting it down, letting it go, or would she tend to smoke it down to the end of it?

A. I think she usually smoked it to the end.

Q. Did she have a cigarette lighter or anything of that nature?

A. Yes.

Q. Did she have a cigarette pack?

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A. Yes.

Q. Was that the type of pack that you take the cigarettes out of their cellophane container and put it in a silver type thing or she would just put the whole pack in a --

A. No.

Q. She would just put the whole pack in a leather case of some kind?

A. Yes.

Q. When you were around her did she have any prescribed time of the day as to when she would start smoking? I mean by that would she smoke in the morning or wait until afternoon or would she smoke whenever she felt like it, from your observation?

A. Just whenever she felt like it.

Q. Do you know of any occasion when she ever tried to quit smoking?

A. No, I can't recall that.

Q. As far as you know she never mentioned the fact to you that she wanted to quit or did quit?

A. Unless it was during a period that I didn't see her or talk to her, I don't recall, no.

Q. Had you ever seen any items in her

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house like Bantron or anything of that nature?
A. Seems to me I have but I don't recall when it was or why. But I remember something about Bantron.
Q. Ever see Judy Alexander have Bantron?
A. No.
Q. Did Mrs. Haight's children smoke, any of them, to your knowledge?
A. No.
Q. How about Mr. Haight?
A. No, I don't think John ever did.
Q. Did she ever discuss with you any requests or suggestions by either Mr. Haight or her children that she stop smoking?
A. Yes. Well, her daughter Pat was like my daughter. They were after us both. Other than that.
Q. When did that start?
A. I guess when they got old enough to voice an opinion. But I don't recall when.
Q. The approximate time when they were 16 or 17 years of age?
A. Yes, probably.
Q. But she never mentioned to you that her husband had asked her to stop smoking?

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A. Oh, yes. She said John was after her, too. And then he'd get after both of us if we were there.

Q. Did your husband ever suggest to her that she stop?

A. To Rosalie?

Q. Yes, ma'am.

A. No, I don't think so.

Q. Did Mrs. Haight ever give you an indication that Vince Chaney had suggested that she stop smoking?

A. Never heard her say.

Q. Did she ever give to you any indication that any physician had ever told her to stop smoking prior to 1983?

A. Not that I know of.

Q. When you would be having these social occasions and John would mention that you all ought to stop smoking, what would that basically be, over a cocktail or something?

A. Usually, yes.

Q. Do you have any recollection of what specific things he may have said? Was his concern based on health or the fact that it was a messy habit or what?

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A. Usually health.

Q. Did he ever voice that concern when they lived on Staunton Avenue?

A. If he did I don't recall because I don't think much was said about smoking then.

Q. When do you first recall him voicing those concerns to you and to Rosalie?

A. I don't know what year or when. It was after they moved, and we would be up there and he'd walk in the room and say something to us about smoking. The exact words, I don't know.

Q. Has he been doing that for the last ten years?

A. Um-hum. (Affirmative)

Q. For the benefit of the court reporter, when you say um-hum, that means yes?

A. Yes, I'm sorry.

Q. In discussing these things when John is around, did the topic of cancer ever come up, and smoking?

A. It must have but I don't recall any incident that brought it on.

Q. In talking about health and smoking, did the question of lung disease ever come up in your all's conversations?

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A. In mine and Rosalie's?

Q. Yes, ma'am.

A. I'm sure it has. I don't recall anything specific about it.

Q. Would it have come up in anything that John may have said?

A. Only in passing, you should quit, it's bad for your lungs or some remark as he left the room or came in.

Q. And she never mentioned to you that she had ever attempted to stop smoking?

MR. FARRELL: Objection. Been asked and answered.

Q. You may answer.

A. The only thing, after you mentioned Bantron I can remember now her having Bantron. But I still can't recall her and I together ever trying to stop smoking, or whether she did.

Q. As I understand from your earlier testimony you talked to her about smoking and the fact that you both enjoyed it?

A. Yes.

Q. What did she indicate to you that she enjoyed about smoking?

A. I don't recall. Same thing I do, I guess.

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You just enjoy smoking.

Q. Did she ever indicate to you that it relaxed her?

MR. FARRELL: Object to the leading.

A. It could have, I don't know.

Q. Did she ever indicate to you why she started smoking?

A. No.

Q. Do you have any recollection of why you started smoking?

A. I was just getting ready to say I'd hate somebody to ask me that because I don't know.

MR. RUGELEY: Mr. Farrell, it's about five after 12 now. You want to take a break for lunch?

MR. FARRELL: Are we not finished?

MR. RUGELEY: No, sir. Not quite. We're getting well down the road but we're not quite through. Will that be all right if we take a break until 1:15?

THE WITNESS: Sure.

MR. FARRELL: Or would you rather go ahead?

THE WITNESS: I don't care.

(Luncheon recess taken)

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AFTERNOON SESSION

BY MR. RUGELEY:

Q. Mrs. Perkins, I'm not sure whether I covered this with you this morning or not. Do you ever recall seeing any of the Haight children smoke?

A. No, I don't.

Q. Did you ever hear of the fact that any of them may have smoked in any conversations you had with anyone?

A. No.

Q. Did you ever hear about any of the Haight children requesting Rosalie Haight not to smoke other than Patricia?

A. I could have. I don't recall.

Q. In talking with Mrs. Haight did you all ever discuss the problems created around the house by the soot or what have you that would come from the trains or the ships?

A. Other than having to clean the tub or the tile in the kitchen or that type of thing.

Q. Did you ever have any discussion about whether that might have any health effects?

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A. No, I don't think back then we even thought of it as a health effect. Mostly just dirt at the time.

Q. Was there ever any discussion with you and Mrs. Haight about any relationship between blood pressure and smoking, high blood pressure and smoking?

A. No, I don't think so.

Q. Did you all ever discuss the desirability of the taste of any different types of brands of cigarettes or what you liked or disliked in a taste?

A. I know we discussed after we both went to a menthol that it was hard to smoke one that wasn't. The taste was different or stronger. Other than that, that's about the only thing I recall discussing about it.

Q. In these instances where you were with Mrs. Haight and Mr. Haight would make some comments about not smoking or stopping, that sort of thing, did she have any reaction to that?

A. No. We'd just look at each other. That's it.

Q. You would look at each other but did you ever comment later or discuss it with her?

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A. No.

Q. I take it the comments never had any effect on her?

A. Evidently not.

Q. From your observation?

A. As far as I know.

Q. Was she a person that you would consider gullable?

A. No.

Q. Was she a person that you would consider very susceptible to suggestion?

A. I don't think so.

Q. Was she a person that would make her own decisions?

A. Yes, she was.

MR. FARRELL: Objection. That's been asked and answered.

Q. You indicated that her daughter had talked to her about quitting. Did you ever hear that conversation, anything that Pat may have said to her about it?

A. Well, when our two daughters were together and we were, they'd both get after us, yes.

Q. Do you have any recollection of what Pat may have said?

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A. Other than, Mom, I wish you didn't smoke, you both should quit.

Q. Was there ever any comments about health effects in those comments relative to smoking?

A. I really don't recall but there must have been. That would be behind the thing of wanting us to quit.

Q. Can't think of any other reasons that they wanted you to quit at this point?

A. No.

MR. FARRELL: Object to this witness testifying as to what reasons Pat Haight may have had.

Q. Or any other reasons that were expressed, let me put it that way.

A. No.

Q. The comment you made a moment ago relative to any reaction when Mr. Haight would make the suggestion to stop smoking, you would exchange a look, was there any particular meaning to the look or was it just to the effect that here it is again, or what?

A. Mostly that she was not ignoring the fact that he wanted her to. We just looked at each

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other to say, well, we probably should, but we've heard it before.

Q. I take it you heard it again?

A. Many times.

Q. And I take it she heard it many times?

A. Yes.

Q. You mentioned a while ago that one instance you recall of Mrs. Haight having an injury to her hand. When was that? Did she live on Staunton Avenue?

A. No. It was after they moved.

Q. Was her hand injured when she was caught trimming hedges or something?

A. Trimming a hedge. She cut I believe it was the middle finger pretty badly.

Q. Did she see a doctor about that?

A. Yes.

Q. Do you recall who it may have been?

A. I don't know if she went to the emergency room or to her doctor, I don't recall.

Q. What was the nature; was it just a cut that he sewed up and it healed?

A. Yes, as far as I know.

Q. You don't recall any damage to bones or tendons or anything of that nature?

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A. No, no.

Q. Do you have any idea approximately when that was?

A. Oh, I would think about 15 years ago. That's a round guess. I'm not sure.

Q. Earlier on you mentioned that your boys played baseball together as you recalled.

A. Yes.

Q. Some team. Was that a little league team?

A. Yes.

Q. Did they play for any sustained period of time on that or do you have a recollection at this point?

A. Full season, baseball season together, and then they split and went with different clubs. So I don't recall how many years Will played.

Q. Do you ever recall any conversations with Mrs. Haight about pressure being put on kids in little league when they were playing?

A. I think we both discussed that. We thought there was, yes. I think we both thought it was best just to play sand-lot and forget the team effort.

Q. Do you know whether anything ever

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happened, did she take Will out of the little league program or do you have a recollection of that?

A. No. I think he quit on his own. He got into other things.

Q. In your discussions with the children when they would talk to you about stopping the smoking, did Mrs. Haight ever respond to them verbally or did she give any reason for continuing to smoke or not continuing to smoke?

A. No. As far as I know she didn't say anything about it.

Q. The discussions you all would have as neighbors and good friends, did they involve children drinking and that sort of thing?

A. No.

Q. Did you have any discussions about the children dating or did she have any views on that that you can recall?

A. Only that so and so was going out with so and so and they were all friends with my children. There was never anything against anybody, that I know of.

Q. So you can't recall her ever taking the position that one of her children should not

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date a particular person?
A. No.
Q. Was she the type of person that encouraged her children to further their education?
A. Yes.
Q. What basically were her views on that, other than she would encourage them?
A. That they all needed a good education in this world today.
Q. Did she take a position of talking to them and helping them decide on a particular course; did she have an interest in that?
A. I'm sure she did. I don't recall her talking when I was around, other than telling me that either one or the other one had changed their mind about something they'd gone into and was pursuing another course. It was more or less they were making up their own mind.
Q. I take it she felt strongly that they all ought to get a degree?
A. Right. And they all did.
Q. Proof of the pudding.
Did she have any opinions voiced to you on religion?
MR. FARRELL: Objection. That's

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irrelevant.

A. You want me to answer?

Q. Yes.

A. No. Sometimes our children went to Sunday school of each other's children. We belonged to the Village Chapel and they belonged to the Episcopal Church. While she and John didn't go, the children participated. But as far as views or anything on religion, I don't recall her ever saying one way or the other.

Q. Did you all ever have any discussions about a stop-smoking clinic or the effect that may have?

A. No. They didn't come up until the last five years around here, I guess.

Q. Did you ever have any discussions about the possible use of hypnosis in stopping smoking?

A. No. We didn't discuss stop smoking too much.

Q. Would that basically be because you both enjoyed it?

A. That was it, I guess.

MR. FARRELL: Object to this witness characterizing Mrs. Haight's motivation.

Q. In your case, your switch to a filter

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cigarette, what was the purpose of that?
A. Probably easier to get. I don't recall why. Maybe we thought it wasn't as strong, or at least I did.
Q. Do you ever recall any conversations with Rosalie Haight about a filter cigarette or a switch from a regular cigarette to a filter cigarette?
A. No. I can't even recall when we switched.
Q. Do you ever recall her using a cigarette holder?
A. I think we both did at one time. I remember a long time ago.
Q. Do you have any recollection as to about when that was?
A. No, I don't. It was after she moved. I'd be up there and we'd both use a holder, but I don't recall when it was.
Q. Do you recall why?
A. No. Probably thought it was less harmful to us if we used one.
Q. The type of holders that you had, did they have an additional filter in them at that point?
A. Yes. You had one beginners -- I think there

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were four or five in a box. We both used one of those.

Q. How long did you try that?

A. I'd forgotten about those.

Q. How long did you try that?

A. Probably about a month. That's a guess, I'm not sure.

Q. I take it she stopped using it at some point?

A. Yes.

Q. Did she ever indicate why?

A. No. I don't remember.

Q. Do you recall why you stopped using it?

A. Got tired of it.

Q. Did you all ever discuss a document called the Surgeon General's report?

A. No, I can't remember ever discussing it.

Q. Did you ever see any advertisements relative to that or newspaper articles relative to that?

A. Oh, it was about in everything you read, and it was on the cigarettes.

Q. Did you all ever talk about the warning on the cigarette package?

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A. I don't recall. It's hard to recall things like that because if it came up in conversation it didn't last or I don't remember it.

Q. Did she ever express any concern or fears to you relative to her health and smoking?

A. Well, we often told each other that we probably should quit because of our health, but other than that, that's all I can recall.

Q. And would this have been in the period that she lived on Staunton Avenue as well as on Kanawha Avenue?

A. No. Would be after she moved.

Q. Over what period of time would this be?

A. I'm not sure what year they moved.

Q. I think they moved in 1965.

A. Up until then I don't think there was too much I recall about smoking. There could have been, I just don't remember.

Q. Would it have been a reasonably short time, say within five years after they moved that you all started doing this?

A. Oh, yes, probably. '70 something.

Q. Around 1970?

A. Yes.

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Q. Have you ever heard of the Tobacco Institute?
A. Oh, yes.
Q. Was that ever a topic of conversation with you and Mrs. Haight?
A. No, not unless it was the growing of tobacco. Other than that, here in West Virginia.
Q. During the period around 1970 to 1980 did you ever observe any advertisements in the Charleston papers relative to anti-smoking material or warnings?
A. There were plenty of them. The clinics sprung up about then here. But I'm guessing on the time of that, too.
Q. Did you ever have any conversation with her about these clinics?
A. No.
Q. Did you all ever discuss the possibility of going to one?
A. No.
Q. Do you know of anybody that did?
A. I can't say that I do.
Q. What was the approximate time that you first recall noticing the warnings on the cigarette packages?

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A. Gosh, I guess the first one that ever came out I probably read. I don't know how long that was. I don't know what year they started.

Q. Did you also notice the warnings that later appeared in a lot of cigarette advertisements, too?

A. Yes.

Q. Did you all happen to discuss the warnings on the cigarette advertisements?

A. I don't remember it if we did.

Q. Were the warnings that you noticed on the advertisements in this area fairly conspicuous?

A. Oh, yes.

Q. Did you all ever discuss the fact that apparently cigarette manufacturers were not sponsoring TV commercials? Did that ever become a topic of conversation when that happened?

A. Oh, I'm sure it did, because at the time I remember Rosalie and I talking about why did they single out cigarettes and not, at the time they had cigars still on and pipes and things of that sort. And we wondered if it would be the same. We discussed advertisings on television.

Q. Did she have any feeling about why they had singled out the cigarettes and not the

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pipes; did she ever comment about that to you?
A. Only why. Cigarettes sponsored a lot of programs we were enjoying, I don't remember what they were. I guess that's what brought it up more than anything.
Q. How about the correlation between cigarettes and alcoholic beverages; did you all ever discuss why they were allowed to sponsor things and cigarette manufacturers were not?
A. I don't think so. I don't recall.
Q. Were you ever with Mrs. Haight in a social situation or out somewhere and gotten into a nonsmoking area and had a problem with that?
A. No, because that's just come up recently, nonsmoking areas.
Q. Did she ever voice to you any opinion on nonsmoking areas or the deprivation of rights to smoke?
A. No, I don't suppose we ever got in a situation. I don't recall any.
Q. Were you ever with her when someone complained about her smoking or your smoking bothering them?
A. No.
Q. During the 1970 to '75 period roughly

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or 1970 to 1980 period, did you all ever discuss any articles that may have appeared relative to the adverse effects of alcoholic beverages?

A. I don't recall any.

Q. Did you ever have any discussions relative to the possible adverse effects of diet drinks?

A. I don't remember. She didn't drink diet drinks.

Q. How about charcoal steaks; at one time there was some literature that came out on that. Did you all have any discussions about potential health effects of that?

A. We could have. I just don't recall.

Q. Cholesterol, did you ever have any discussions about health effects on eating foods that would raise the cholesterol level?

A. No, I never discussed that.

Q. Eggs?

A. No.

Q. In your relationship with Mrs. Haight, and you went shopping together quite often, apparently, would she have a reason for picking a particular brand of, say, of detergent or bath soap or something of that nature?

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MR. FARRELL: Object. That's been asked and answered.

A. I don't recall any.

Q. Let me put it this way. Was she susceptible to looking at an advertisement and then going out and buying something, from your view of her?

A. I don't think so. I don't recall if she did.

Q. As I think you earlier said, she was not necessarily concerned with buying something a couple cents less than something else, was she?

A. No, no.

Q. Would it be your view that she bought the article that she personally liked regardless of what all the advertisements said?

A. I guess that would depend on what it was. I don't know.

Q. Well, do you know of anything that she ever bought, in shopping, strictly on the basis of what the ad said?

A. I don't recall. I don't know.

Q. That's a tough question over 30 years, isn't it?

A. Yes.

Q. Do you know if she ever switched

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brands on cigarettes because of something that may have appeared in a magazine?

A. No, I don't.

Q. Was she smoking when you first met her?

A. I've thought about that and I don't recall if she was or not. I was, but I don't know if she was. But I'm inclined to think she was.

Q. Did she ever appear to you to be a person that could be easily influenced?

A. No.

Q. In your relationship with her did she appear to be a person that was concerned about following her doctor's instructions?

A. Oh, I'm sure she was, yes.

Q. Do you know of any incidents in which she disobeyed her physician's instructions?

A. I have no idea of that.

Q. Do you ever recall her discussing with you or mentioning to you any advertisements seen on TV relative to cigarettes, any particular advertisements?

A. No.

Q. Do you ever recall her mentioning to you or discussing with you any particular

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advertisements or cigarettes that appeared in print?

A. I don't remember any.

Q. Basically most of your conversations with her relative to cigarette advertisements or sponsorships related to the fact that they weren't on TV?

A. That, yes.

Q. Did she have a type habit of buying brand name articles such as, well, I don't know what women's clothes are, Pierre Cardin or that type of idea, would she go in the store and look for the brand name?

A. Never.

Q. She would go to a store basically and look and find something she liked?

A. Right.

Q. Something that appealed to her?

A. Right.

Q. When she would travel and fly, for instance, would she go to a particular airline or just whatever was convenient?

A. Out of Charleston, it's what was convenient.

Q. Did she ever discuss with you her health problems, and this was prior to 1983. I

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think you indicated before she may have mentioned the blood pressure situation with you at one point and I believe you were aware of the thyroid scar.

A. Yes.

Q. Did she ever discuss the thyroid problem with you?

A. She told me about it. Other than that, that's all.

Q. Did she ever discuss anything physicians may have said to her or instructions given to her about that?

A. Only that she would have to take medication the rest of her life.

Q. Did she ever discuss any problems that she might have had with birth control pills?

A. No.

Q. Did she ever relay to you whether or not she did not want to take them as a personal choice for health concerns?

A. No. I don't think she ever did.

Q. Was she concerned about her children's health?

A. Oh, I'm sure she was. Not that they were ever sick, but she certainly would have been concerned about them.

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Q. Well, obviously any mother would and I don't mean that. I mean did she evidence concern that, for instance, that they not run around in the rain and things like that?

A. Silly things, as we grandmothers know today. I don't think any more than any other mother.

Q. How about medication if it was prescribed by a physician for her children; was she concerned to make sure that they took that?

A. Oh, yes.

Q. Was she concerned about having them have physicals when necessary or when indicated?

A. Yes.

Q. Was she concerned about their health insofar as their having their immunizations and inoculations?

A. Oh, yes.

Q. Were any of her children ever in the hospital, to your knowledge, other than when they were born?

A. You know, I don't recall any of them having their tonsils out or anything. They could have. I just don't remember.

Q. Okay. Was Mr. Haight ever ill that you can recall?

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A. Other than maybe the flu once in a while, I don't think so.

Q. Did she ever indicate any concern to you about her own health relative to any problem she may have had with a hysterectomy?

A. I don't think she had any problems after that.

Q. I take it she was on some kind of medication after that, was she not?

A. Yes.

Q. Were you aware or did she discuss with you any of her treating physicians?

MR. FARRELL: Limiting that question to the hysterectomy?

MR. RUGELEY: No. Just general from the time you knew her.

A. Only Dr. Barber and the whole family that she'd known for years and years.

Q. That was Dan Barber?

A. Dr. Dan, yes. She had a lot of faith in him. Also Dr. Condry I believe she went to, a surgeon. Other than that, I don't recall any others.

Q. Did she ever indicate to you that she had had any respiratory problems?

A. No.

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Q. Any problems with a cough?
A. No.
Q. Did you at any time observe her or did she have an abnormal or cough in that it was more than just when she had a cold; do you ever recall observing that?
A. Up until when now?
Q. Up until '83.
A. No.
Q. Did any of the children ever mention to you that she had had the problem with coughing or anything of that nature prior to 1983?
A. I don't recall anything.
Q. Did she ever indicate to you that she had any problems with sleeping or insomnia?
A. I'm trying to think. I don't think so.
Q. We had talked earlier about the fact that she was a calm person, as far as outward appearances were concerned. Do you know of any points where there were any complaints about the way she kept house from her husband? Did she ever discuss that with you?
A. When the children were young, yes. It was a hard job, three little ones.
Q. Did that cause her concern?

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A. I don't think it bothered her a whole lot. She did the best she could and let the rest lie.

Q. Which is normal.

A. Yes.

Q. Do you recall, did she ever talk to you about any complaints she had from her husband about anything else other than that point of keeping house and about her smoking?

A. No.

Q. Did he complain about any other, her gardening or anything?

A. No.

Q. Did he ever complain about her drinking or drinking too much or anything of that nature that she mentioned to you?

A. She never mentioned it to me.

Q. In the times that you all had been with her, say from 1983, she indicated -- did she discuss with you at that point the problem she had with her health?

A. Up until '83 or after that?

Q. No, at '83.

A. Well, I went to see her in the hospital when she first went in and they diagnosed her as having lung cancer. I'm sure we discussed it but not

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very much because when I'd go see her, I didn't mention it, really. I just avoided the whole subject.

Q. Were you aware that at that time she quit smoking?

A. Yes.

Q. When she first went in the hospital at that point, about how often would you visit her there? Was she in there very long?

A. She wasn't in very long, no. Most of the days I was working and I'd run in to go see her and go back to my job.

Q. You mean your work at the hospital?

A. Yes. I kept in touch every day. She wasn't there too long and then she went back in and had surgery, I guess. I'm not sure.

Q. During that period were you in touch with her one way or another on almost a daily basis for several weeks?

A. At first, yes. And then it lessened to once a week, because it got hard to talk to her, really.

Q. When did she first stop smoking; was it as soon as the doctors told her she had a problem?

A. As far as I know, yes.

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Q. And I take it when you'd go to see her you would not smoke?
A. No.
Q. Did you discuss with her at that time any problem she might be having with not smoking?
A. No. She never complained. I never heard a word out of her about it.
Q. Did she appear to be very nervous or on edge?
A. No. Seemed her old self.
Q. In her follow-up period after she was out of the hospital and for several months thereafter, did you contact her primarily by telephone?
A. Yes.
Q. Did she ever discuss with you smoking at that point or the fact you should quit?
A. She said, Betty, I wish you'd quit.
Q. Did she tell you, did you all ever discuss the fact that she had quit?
A. No, we didn't. I don't think I ever brought it up to her really.
Q. Did she ever indicate to you any difficulty she was having with not smoking?
A. No, she never complained one time.

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Q. When you first saw her in the hospital and she had received the news, how did she accept it?

A. I couldn't get over it.

Q. I'm talking about the news of lung cancer.

A. I couldn't get over how well she did accept it, really. It was just a matter of fact the way she talked about it, it really was.

Q. Was she pretty matter-of-fact from that point on about the treatment and that sort of thing she had to undergo?

A. Yes.

Q. And was she basically matter-of-fact about what she had to do in her personal life then?

A. She never talked long range, no. When she'd be in for chemotherapy I always went in and sat with her some. She never complained up until the last, oh, few times she went in. It was getting to be old hat and she said, I've had it with this stuff.

Q. Do you recall whether or not she ever related to you any complaints Mr. Haight may have had about her disciplining of the children or her care of the children?

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A. She never complained to me about it.

Q. Were you ever aware of any stress that may have been in that household because of any financial problems?

A. No.

Q. Was there ever any discord or stress created by their marital relationship that you were aware of?

A. Not that I was aware of, no.

Q. Are you aware of any difficulties they had in their marriage in the last ten years?

A. No.

Q. Are you aware of any stress that may have been created by any third parties in their relationship?

A. No.

Q. The times that you were in their home, did you ever have occasion to meet any of the other lawyers in the firm other than, I guess we talked about Mr. Kay, I think.

A. Yes.

Q. And Mr. Chaney.

A. Mr. Chaney, yes. And I met a young lawyer, Tilson? Tiley.

Q. Ed Tiley?

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A. I met him once just in and out of the house when he was there.

Q. On your visits to the Haight home did you ever have occasion to meet any of the other people from the office, employees from the office?

A. The secretary.

Q. Do you recall her name?

A. I wish you hadn't asked me. Terrible time remembering. Lois.

Q. When did you have occasion to see her there?

A. Oh, lots of times.

Q. Were they social friends of the Haights?

A. Yes. I've seen Lois' husband with her there a lot. She lived near my daughter at one time.

Q. South Charleston?

A. Yes. She has a daughter my daughter's age. She got married about the same time.

Q. Mrs. Perkins, it has been brought to my attention that in a deposition of one of the Haight children she recalled sitting at a kitchen table sometime in the '70s with you and Mrs. Haight and discussing switching to low tar cigarettes. Do you have any recollection of that?

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A. Gosh, no, but it sure could have been, easily. I just don't recall it.

MR. RUGELEY: Would any of you ladies and gentlemen like to ask any further questions?

Mrs. Perkins, you have the right to have this deposition typed up and to read it and sign it if you'd like, if you want to check for any possible errors that this lady may have made or you have the right to waive the signature and just have her type it up and distribute it. We'll let you have your choice.

THE WITNESS: How about it, lawyers, should I read it? Do I hear yea or nay from all 25? I don't know. I do what's correct. I do what's correct.

MR. FARRELL: Do whichever you want to do.

MR. RUGELEY: Witnesses do both. Ms. Alexander decided to waive her signature. Some witnesses want to read and sign it.

THE WITNESS: Whatever, I don't care. Let it go through.

MR. RUGELEY: You agree to waive it?

THE WITNESS: Yes.

(Deposition concluded at 2:15 p.m.)

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CERTIFICATE

I, NANCY C. BENDISH, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination the witness and/or witnesses were sworn by me to testify the truth, the whole truth and nothing but the truth.

I do further certify that the foregoing is a true and accurate computer-aided transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I do further certify that I am neither of counsel nor attorney for any party in this action and that I am not interested in the event nor outcome of this litigation.

Nancy C. Bendish

Notary Public of the State of New Jersey
Certificate Number X100836
My commission expires May 11, 1986.

Dated: 2/19/86

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